

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)	
Use and Benefit of Herself and the Next Kin of)	
Richard Smith, Deceased,)	
)	
Plaintiff,)	Civil No. 3:05-0444
)	Judge Aleta A. Trauger
v.)	(Dist. Of MA No.
)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF
DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO
EXCLUDE THE TESTIMONY OF SHEILA WEISS SMITH, PH.D.**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, attorneys for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.

2. Attached as Exhibit A is a true and correct copy of the expert report of Sheila Weiss Smith, Ph.D., dated November 4, 2008.

3. Attached as Exhibit B is a true and correct copy of the Curriculum Vitae of Sheila Weiss Smith, Ph.D.

4. Attached as Exhibit C is a true and correct copy of the Expert Report of Sheila Weiss, Ph.D., dated December 20, 2007.

5. Attached as Exhibit D is a true and correct copy of excerpts from the deposition of Sheila Weiss Smith, Ph.D., dated December 22, 2008.

6. Attached as Exhibit E is a true and correct copy of a letter from Dr. Russell Katz, FDA to Manini Patel, Director of Worldwide Regulatory Affairs, Pfizer; Bates No. NRE0009216746.

7. Attached as Exhibit F is a true and correct copy of the FDA Statistical Review and Evaluation, Anti-Epileptic Drugs and Suicidality dated May 23, 2008.

8. Attached as Exhibit G is a true and correct copy of excerpts of the transcript from the July 10, 2008, FDA Advisory Committee meeting on antiepileptic drugs and suicidality.

9. Attached as Exhibit H is a true and correct copy of FDA's "Guidance for Industry: Good Pharmacovigilance Practices and Pharmacoepidemiologic Assessment," March 2005.

10. Attached as Exhibit I is a true and correct copy of an email from Michael Wasicko, counsel for Defendants, to Keith Altman, counsel for Plaintiff dated February 2, 2009.

11. Attached as Exhibit J is a true and correct copy of excerpts from the deposition of Cheryl Blume, Ph.D., dated November 22 and 23, 2007.

I declare the foregoing statements are true and correct under the penalties of perjury, this the 27th day of April, 2010.


Mark S. Cheffo

CERTIFICATE OF SERVICE

I hereby certify that on this the 27th day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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